
TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

**Administrative Rules Oversight Committee Notice
One Year Requirement ([IC 4-22-2-25](#))
LSA Document #10-734**

July 19, 2011

Representative Jeffrey Thompson, Chairperson
Administrative Rules Oversight Committee
c/o Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
ATTN: Sarah Burkman

RE: LSA Document #10-734 – Lead Based Paint Program rule

Dear Representative Thompson,

On behalf of the Indiana State Department of Health (Department), I am submitting this notice to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-25](#), because the Department has determined that the promulgation of the captioned rule may not be completed within one year after publication of the Notice of Intent to Adopt a Rule.

The Department published its Notice of Intent to Adopt a Rule for the captioned document on December 8, 2010 (DIN: [20101208-IR-410100734NIA](#)). On January 12, 2011, the Department preliminarily adopted a Proposed Rule. The Department submitted to the Office of Management and Budget (OMB) a copy of the Proposed Rule and the Department's fiscal analysis, as required under [IC 4-22-2-28](#). Under [IC 4-22-2-28](#), the Department may not proceed with the rulemaking process until the OMB has completed its own fiscal analysis for the rule. Once the OMB has completed its fiscal analysis, the Proposed Rule must be published in the Indiana Register, and the required public hearing can be held no earlier than 21 days after publication of the Proposed Rule.

Following the public hearing, the agency must consider and respond to public comments and present the rule to the ISDH Executive Board for final adoption. Pursuant to [IC 4-22-2-32](#), the Attorney General has 45 days to complete his review of the rule. Whether a quorum is present at the ISDH Executive Board meeting, and the Attorney General's time frame for rule review, are outside of the Department's control. Thus, promulgation of this rule will likely not be completed by December 8, 2011. The agency expects that the rule can be approved by the Governor by December 8, 2012.

This notice setting forth the expected date of approval of LSA *[Document]* #10-734 as December 8, 2012, is being submitted in a timely manner. August 15, 2011, is the two hundred and fiftieth day after publication of the Notice of Intent to Adopt a Rule.

Sincerely,

Sean Keefer
Chief of Staff

Posted: 08/03/2011 by Legislative Services Agency
An [html](#) version of this document.